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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

MAILED

Application Number: 10/807,474

Filing Date: March 22, 2004

JAN 10 2008

Appellant(s): SAMRA ET AL.

Technology Center 2100

Brian N. Young (Reg. No. 48,602)
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 10/16/07 appealing from the Office action mailed 10/20/06.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is incorrect.

The amendment after final rejection filed on 3/13/07 has not been entered.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is deficient. 37 CFR 41.37(c)(1)(v) requires the summary of claimed subject matter to include: (1) a concise explanation of the subject matter defined in each of the independent claims involved in the appeal, referring to the specification by page and line number, and to the drawing, if any, by reference characters and (2) for each independent claim involved in the appeal and for each dependent claim argued separately, every means plus function and step plus function as permitted by 35 U.S.C. 112, sixth paragraph, must be identified and the structure, material, or acts described in the specification as corresponding to each claimed function must be set forth with reference to the specification by page and line number, and to the drawing, if any, by reference characters. The brief is deficient because only a cursory summary is presented. A concise explanation for each independent claim, referring to the specification by page and line number (and to relevant drawing(s)) is not present.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

6,085,185

2004/0078215

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 18 recites the limitation "the action" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1 – 3, 6 – 8, and 14 – 22 are rejected under 35 U.S.C. 102(e) as being anticipated by Matsuzawa et al (U.S. Pat. No. 6,085,185) (Retrieval Method and System of Multimedia Database).

4.1 Regarding claim 1, Matsuzawa discloses a method for annotating an item in a user interface of a media production system, the method comprising:

accepting signals from a user input device to select a frame in a plurality of frames of a production being processed by the media production system (Abstract “When a user puts an annotation to a **specific range of a medium**”; col. 2, lines 28 – 31 “A user often desires to give comment information (hereinafter referred to as an annotation) …” for a **specific range of video and audio data.**”; col. 6, lines 11 – 24 “specific range”);

creating annotation information and an annotation marker (Figs. 1, 7; Abstract; col. 2, lines 28 – 37; col. 7, lines 58 - 64); and

storing the annotation information in association with the selected frame of the production, wherein the annotation marker is displayed with the frame when the frame is displayed during playback of the plurality of frames in the production, the annotation marker showing a visual relationship of the annotation information’s relevance to the frame (Figs. 1, 2; col. 7, lines 18 – 24 “When a medium is played, a **user generally displays the contents of the media object management table 50 on the display device 40** in a tabular form and instructs a desired object ID.”; col. 5, lines 21 – 30).

4.2 Per claim 2, Matsuzawa teaches the method of claim 1, further comprising accepting signals from a user input device to create the annotation information (Fig. 1, items 30, 40; Abstract “**user puts an annotation to a specific range of a medium**”; col. 2, lines 28 – 37 “user often desires to give comment information (hereinafter referred to as an annotation) …”; col. 7, lines 58 – 64 “In the annotation setting process, the screen for inputting the annotation information is displayed on the display device 40 …”).

4.3 Regarding claim 3, Matsuzawa discloses the method of claim 2, wherein the annotation information includes text information (Fig. 4; col. 2, lines 54 – 64 “text”; col. 6, lines 31 – 38 “**text is used as an annotation**”).

4.4 Per claim 6, Matsuzawa teaches the method of claim 1, wherein the annotation information is automatically generated by a process executing on a digital system (col. 6, lines 39 – 44 “the annotation object 710 is **automatically generated** for all destination/source objects in the citation relation to the range.”; col. 13, lines 9 – 16; col. 16, lines 63 – 67 “an annotation object is **automatically generated** for a specific range in the link relation to all media objects including the media object thereof, labor saving for the registration work of annotation objects is realized.”).

4.5 Regarding claim 7, Matsuzawa discloses the method of claim 6, further comprising wherein the annotation information is *automatically generated at a predetermined time* (col. 13, lines 9 – 16 “when a user uses a part of a media object as

a component of another media object in the editing work and when an annotation object is already defined for the portion of the citation source object (source object), **automatically generating an annotation object for the citation destination object (destination object) at the same time by diverting the annotation object.”**

4.6 Per claim 8, Matsuzawa teaches the method of claim 6, further comprising wherein the annotation information is automatically generated *upon the occurrence of a predetermined event* (col. 13, lines 9 – 16 “**when a user uses a part of a media object as a component of another media object** in the editing work and **when an annotation object is already defined** for the portion of the citation source object (source object), **automatically generating an annotation object** for the citation destination object (destination object) at the same time by diverting the annotation object.”)

4.7 Regarding claims 14 – 22, the rejection of claims 1 – 3 and 6 – 8 (paragraphs 4.1 – 4.6 above) applies.

In addition, Matsuzawa teaches the annotation marker is stored as part of the frame in the production (Figs. 1 – 6; col. 4, lines 30 – 31); the annotation marker is displayed in the frame being displayed (Figs. 2 – 6, 17); the annotation marker indicates one or more additional frames that are relevant to the annotation information (Abstract; Figs. 2 – 6, 17); the annotation marker is associated with an action that is performed when the

annotation marker is selected (Abstract; Figs. 5, 17), wherein the action comprises displaying the annotation information (Abstract; Figs. 2 – 6, 17).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 4 and 5 rejected under 35 U.S.C. 103(a) as being unpatentable over Matsuzawa as applied to claims 1 and 2 above, and further in view of Dahlin et al. (U.S. Pat. Pub. No. 2004/0078215) (Systems and Methods for Documenting medical Findings of a Physical Examination).

6.1 Per claim 4, Dahlin teaches the method of claim 2, wherein the information includes capture of drawing information (Abstract “recording a graphical annotation”; paragraph 17 “free-form input of text and graphics”; paragraph 95 “free-form graphic annotations”; paragraph 100 “depending on the type of annotation (free text, voice, **drawing**, and additional selected options) that the annotation contains”; paragraph 106 “free-hand drawing”).

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the drawing information of Dahlin into Matsuzawa because drawing information is a commonplace type of “freeform” information that is sometime necessary to accurately annotate, as seen in Dahlin.

6.2 Regarding claim 5, Dahlin discloses the method of claim 2, wherein the information includes audio information (Abstract “recording a sound annotation”; paragraph 91 “audio recording”; paragraph 100 “depending on the type of annotation (free text, **voice**, drawing, and additional selected options) that the annotation contains”).

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the audio information of Dahlin into Matsuzawa because audio information is a commonplace type of “freeform” information that is sometime necessary to accurately annotate, as seen in Dahlin.

(10) Response to Argument

Claims 1 and 19

Applicant argues that “Matsuzawa fails to disclose or suggest that an annotation marker is displayed with the frame when the frame is displayed during playback of the plurality

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of frames in the production, the annotation marker showing a visual relationship of the annotation information's relevance to the frame."

Examiner disagrees.

Matsuzawa clearly discloses "When a medium is played, a user generally displays the contents of the media object management table 50 on the display device 40 in a tabular form and instructs a desired object ID." (col. 7, lines 18 – 24).

See also Fig. 2 and col. 5, lines 21 – 30.

Matsuzawa teaches that an annotation marker is displayed with the frame when the frame is displayed during playback.

Claim 14

Applicant argues that Matsuzawa "does not disclose or suggest that the annotation marker is stored as part of the frame in the production."

Examiner disagrees.

Matsuzawa clearly discloses that "the files and memories may be all stored on a hard disk." (col. 4, lines 16 – 31).

Matsuzawa teaches that the media object management table and medium (files and memories) can be all stored on a hard drive.

Claim 15

Applicant argues that Matsuzawa "does not disclose or suggest that the annotation marker is displayed in the frame being displayed."

Examiner disagrees.

Matsuzawa clearly discloses "When a medium is played, a user generally displays the contents of the media object management table 50 on the display device 40 in a tabular form and instructs a desired object ID." (col. 7, lines 18 – 24).

See also Fig. 2 and col. 5, lines 21 – 30.

Matsuzawa teaches that the annotation marker is displayed in the frame being displayed.

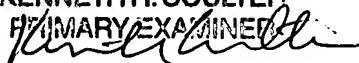
(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

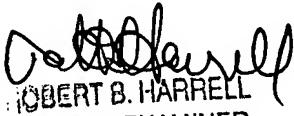
For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

Kenneth Coulter

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PRIMARY EXAMINER


Conferees:


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